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Application Number	09/582,757
Filing Date	September 5, 2000
First Named Inventor	Armand NACHEF et al.
Group Art Unit	2126
Examiner Name	P. Hoang

Total Number of Pages in This Submission	1	**Attorney Docket Number**	T2147-906524

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
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- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
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- ☐ Assignment Papers *(for an Application)*
- ☐ Drawing(s)
- ☐ Declaration and Power of Attorney
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
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- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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- ☐ Status Letter
- ☐ Application Data Sheet
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Request for Reconsideration

Remarks	☒ The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-1165 (T2147-906524) for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm *or* Individual name	<u>Edward J. Kondracki, Reg. No. 20,604</u> Miles & Stockbridge P.C. 1751 Pinnacle Drive Suite 500 McLean, VA 22102
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Date	December 21, 2004

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[37 CFR 1.8(a)]

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)
Armand NACHEF et al.	) Group Art Unit: 2126
Appln. No. 09/582,757	) Examiner: P. Hoang
Filed: September 5, 2000	)
For: DYNAMIC CREATION OF OBJECT	)
CLASSES	)
	)

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 21, 2004, and further to a 14 December Personal Interview, reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicants would like to thank Examiners Lao and Hoang for the courtesies extended to Applicants' representative, Mr. Jason Vick, during the 14 December Personal Interview. During the Personal Interview, it was confirmed that the Preliminary Amendment and drawing changes filed on September 5, 2000 were of record and have been entered. Accordingly, the rejections to the specification and drawings are moot.

Regarding the rejection under 35 U.S.C. § 112, second paragraph, it was clarified that the global generic class and generic class were in fact different. An explanation of the terminology used throughout the specification was provided to the Examiners. Furthermore, distinctions between Claim 11 and the cited references were discussed.

In particular, independent Claim 11 recites a method for dynamically generating an *object class* in a computer system comprising creating a global generic class having a first

member being related to at least one attribute and a second member being related to at least one method. At least one member is an instance of a generic class, with a generic class having at least a name as an attribute. Claim 11 further includes the step of instantiating the global generic class to generate the *object class*. (emphasis added).

As will be appreciated hereinafter, it is important to note the global generic class is instantiated to generate *an object class*. As discussed in the specification, at least on pages 4-5, the module 13 will be presented first. It uses two software tools 20 and 30, which respectively execute a process for dynamically creating classes and a process for deriving classes and objects. The tool 20 for dynamically creating classes will now be presented ... the "classes" menu makes it possible to dynamically create object classes, by inheritance or not. It also makes it possible to open a class, possibly in order to modify it, save it, or close it. The "objects" menu makes it possible to instantiate the classes defined previously, in order to create objects, which can then be cloned. Just as for the classes, it is possible to open an object, modify it, save it on the disk and close it. With the tool 20, the designer C can define the commands that are found in both menus, as illustrated for example in the screen 21. The "classes" menu illustrated contains the commands . . . the tool 20 implements a method for automatically generating an *object class*. (emphasis added). The method is triggered automatically by the design module 13 when the designer C activates the command "new class" on the "classes" menu in the window 22 of Fig. 2. The method for automatically generating class consists of creating a global generic class (GenericClass) having two possible members, one of them being related to at least one attribute and the other being related to at least one method, at least one of the two members being an instance of a generic class, and of instantiating the global generic class in order to have said *object class*.

In stark contrast, Carlson is a framework mechanism that defines one or more run-time extensible items that may be dynamically reconfigured as required to support different interfaces at run-time. As is abundantly clear, the relied-upon portion of Carlson and, in particular, column 5, lines 4-20 (below), is directed toward a containment relationship whereby one class contains another class. It further goes into detail discussing nomenclature used to graphically illustrate the relationship between classes in the Carlson reference.

Specifically, Carlson states:

Another refinement of a simple association between classes is a "containment" relationship whereby one class "contains" another class. This containment association is also referred to as a "has a" relationship, because one class "has" instances of another class. The containment relationship is indicated by a closed circle at one end of a simple association line, the circle end designating the client that "has" the associated other class. Note that the opposite end of the containment relationship line may also have symbols that give further details of the containment relationship. A solid square indicates that the contained class is contained directly within the containing class, which is also known as a "contains by value" relationship. An open square indicates that the contained class is not contained directly, but references to the contained class are contained within the containing class. This relationship is known as a "contains by reference" relationship.
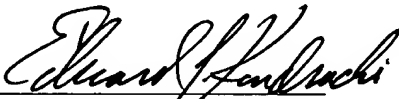
Clearly Carlson does not teach or suggest instantiation of a global generic class to generate on *object class* as recited in independent Claim 11. In contradistinction, Carlson speaks to a class containing another class. Independent Claim 31 includes a similar feature of means for instantiating the global generic class to generate said object class. Again, there is simply no teaching or suggestion of this feature in the Carlson reference, and moreover, it would not have been obvious to modify Carlson to include this feature in that Carlson is

directed toward dynamically reconfiguring items to support different interfaces at run-time while an exemplary aspect of the present invention as directed toward a design tool that is utilized to develop the object class.

At least based on the above distinctions, Applicants respectfully submit that all claims are patentably distinguishable over Carlson. The remaining references fail to overcome the deficiencies as noted above. Therefore, Applicants respectfully submit the application is in condition for allowance and respectfully request a prompt Notice of Allowance.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

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